IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

RP.No. 480 of 2006(N)

AGAINST THE JUDGEMENT/ORDER IN WPC.34154/2005
Dated 04/04/2006
.....

: REVIEW PETITIONERS/RESPONDENTS

THE TRANSPORT COMMISSIONER,
TRANSPORT COMMISSIONERATE,
KERALA, TRIVANDRUM AND OTHERS.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA.

RESPONDENTS: PETITIONER

PANMANA SERVICE CO-OPERATIVE BANK
LTD. NO.3035, PANMANA, KOLLAM, REP. BY
ITS PRESIDENT, YOUSUF KUNJU.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 19/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH J.

Review Petition No.480 of 2006
in
W.P.(C) No.34154 of 2005

Dated 19th October, 2007.

O R D E R

This is a petition to review judgment dated 4.4.2006. The issue pertains to the shifting of Sub Regional Transport Office, Karunagappally. There was no counter affidavit in the writ petition. In view of Ext.P2 letter of the Transport Commissioner, the writ petition was disposed of directing the third respondent to take appropriate action for implementing Ext.P2. Learned Government Pleader submits that in view of the intervening developments, some of which are referred to in the review petition, the review petitioners may be given an opportunity to file a counter affidavit in the writ petition and the writ petition itself may be heard on merits, since it is not possible for the State to implement Ext.P2 as of now.

2. Having heard the learned Government Pleader and the counsel appearing for the writ petitioner, and having regard to the facts and circumstances referred to in the review petition, it is fairly clear that the writ petition is to be heard on merits,

adverting to the contentions taken by the parties and also taking note of the intervening developments. Accordingly, the judgment dated 4.4.2006 in W.P.(C) No.34154/05 is recalled. There will be a direction to the review petitioners/respondents in the writ petition to file counter affidavit in the writ petition on or before 31.10.2007 and if not, the writ petition will stand allowed on the basis of Ext.P2. Post the writ petition for hearing in the second week of November, 2007.

SD/-

KURIAN JOSEPH, JUDGE.

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